



Our Ref: 003769/20

Your Ref:

Address Correspondence to: Information Management

Date 16 November 2020

I write in connection with your request for information under the Freedom of Information Act 2000 (FOIA), received on 11/11/2020 in which you requested the following information: -

1) The total number of breaches reported to your police force under The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place) (England) Regulations 2020.

2) A breakdown of the outcomes of breaches reported to your police force under The Health Protection Regulations 2020 (as per question 1). These outcomes should include the following, but may include any further breakdown your police force uses:

No formal action taken

Removal from premises

Offence recorded

Charge issued

Fixed penalty notice issued (please provide a breakdown of these fines - £100, £200, £400, £800, £1,600, £3,200, £6,400).

I can confirm, pursuant to s1(1)(a) of FOIA that this Force does hold the information you have requested.

Section 17 of the Freedom of Information Act 2000 requires Leicestershire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption(s) applicable to the information are as follows.

Section 12 – Cost of compliance exceeds appropriate limit.

Leicestershire Police do not record call reporting breaches in face mask regulations under the Coronavirus Act separately to any other breach report. Therefore to provide the specific information you have requested would require a manual review of all calls reporting breaches of Coronavirus regulations in order to identify those specific to your request. This would take well in excess of 18 hours.

In order to retrieve the information you have requested would therefore be in excess of the 18 hours specified by the Home Office as the time period for which a police force should allocate to a request under the Freedom of Information Act 2000.

In the Freedom of Information (Fees and Appropriate Limit) Regulations 2004, the current regulatory limit which has been set by the Secretary of State for public authorities, which includes the police service, is £450 for the marginal costs which are the costs of finding, sorting, editing or redacting information and disbursements (printing, photocopying etc). The Association of Chief Police Officers have agreed a national standard of an hourly rate of £25 is to be charged for the time taken. In essence therefore, the costs equate to 18 hours work per request. It will be apparent therefore that within the time frame of 18 hours it will not be possible to extract the information to answer any of your questions.

In accordance with the Freedom of Information Act 2000, this letter acts as a Refusal Notice under s12(1) as the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the information exceeds the "appropriate level" as stated in the Freedom of Information (Fees and Appropriate Limit) Regulations 2004.

Section 16 – Duty to Assist

Leicestershire Police have published numerous responses in relation to face masks/covering and these can be found below:

<https://www.leics.police.uk/foi-ai/af/accessing-information/published-items?q=face>

Leicestershire Police provides you the right to ask for a re-examination of your request under its review procedure. Letters should be addressed to the Information Manager, Corporate Services Department at the above address. If you decide to request such a review and having followed the Force's full process you are still dissatisfied, then you have the right to direct your comments to the Information Commissioner who will give it consideration.

Yours sincerely

Freedom of Information Officer

Leicestershire Police